

Code of Ethics & Rules of Professional Conduct

2023

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CHARTERED PROFESSIONALS IN HUMAN RESOURCES OF CANADA (CPHR CANADA)

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INTRODUCTION

The Chartered Professionals in Human Resources of Canada (CPHR Canada) Code of Ethics and Rules of Professional Conduct (Code) expresses the commitment that CPHR Canada makes to the ethical delivery of human resources practice by Members. The content of the Code represents member Associations' minimum standards of acceptable professional conduct or behaviour.

As the national body for Associations in Canada, a fundamental objective of CPHR Canada is to protect the interests of the public by ensuring that Members are competent and conduct themselves in an honourable and ethical manner.

The Code sets out the ethical standards that Members are expected to meet in their interactions with employers, clients, employees, other professionals, the Association, and the public. These standards require ethical conduct, competent service, and good character, and provide both general principles and details about how those principles should be applied in practice. It will not exhaust the full range of ethical issues that the Member may encounter, nor does it extinguish or replace the need for Members to exercise sound professional judgment.

The Code applies to all Members whether working as employees, consultants, or independent practitioners. The Code applies when a Member provides services outside of their own jurisdiction. Other jurisdictions may impose their own local standards and, to the extent they differ from the Code, local standards take precedence over the Code.

Breaches of the Code may result in disciplinary action by the Association where appropriate. Members are subject to discipline by their Association for any professional misconduct, conduct unbecoming, or incompetence no matter where the conduct occurred.

DEFINITION

In this Code of Ethics and Rules of Professional Conduct the following definitions apply:

"Association" means the provincial Human Resources Association.

"Business" means a proprietorship, partnership, limited liability partnership, or professional corporation, independent of the contracting party, engaged in the practice of human resources management service.

"By-Laws" means the By-Laws of the Association.

"Competency Framework" means the current CPHR recognized framework of competencies deemed necessary to effectively practice human resources.

"CPHR Canada" means the Chartered Professionals in Human Resources of Canada.

"CPHR" means Chartered Professionals in Human Resources designation and a registered trademark of CPHR Canada.

"Code" means this Code of Ethics and Rules of Professional Conduct.

"Client" means the person or entity engaging an Association Member as an independent practitioner or contractor for the performance of professional human resources management services.

"Complaint" means a written or verbal communication received by the Association alleging misconduct by a member of the Association.

"Confidential Information" means any information that is provided to a Member with the reasonable expectation that such information not be divulged except for the purposes for which it was provided.

"Consultant" means a member engaged as an independent practitioner or contractor of an organization.

"Member" means a member in good standing of an Association.

"Personal Information" means information of, on, or about an identifiable individual or entity, not including basic information such as name, title, business address, telephone number, or organizational electronic exchange coordinates.

"Profession" means the profession of human resources management.

PRACTICE OF HUMAN RESOURCES MANAGEMENT DEFINED

Human Resources Management (HRM) can be defined as a process of commissioning, enabling, and managing human capital resources in organizations in a coordinated and thorough manner with a view to enhancing business outcomes.

HRM has evolved to embody 'employee relations,' and in contemporary organizations morphed into a complex and meaningful system which incorporates recruitment, retention, development, wellness, change management, and culture contributing to supporting the achievement of organizational outcomes.

HRM is resource-centered and has progressed to represent a strategic and holistic approach to managing people, culture, and environment. Best practice indicates that prevailing HRM practices enable employees to productively and effectively contribute to overall direction and to organizational goals and priorities.

HRM expects to add value to the strategic utilization of human capital and asserts that investment in employee programs impacts business in measurable ways. As intricate as it may have become, HRM is all about people in organizations. Given this definition, CPHR Canada recognizes that the practice of human resources management includes, but is not limited to:

- » Provision of advice to Clients, employers, managers, and employees in HRM matters;
- » Representing Clients and organizations in events and proceedings relating to HRM;
- » The conduct of analysis, research, and evaluation in the area of human resources and workplace events;
- » Upholding, promoting, and communicating laws, policies, and best practices in organizational development.
- » Building and maintaining relationships with employees and their representatives in alignment with organizational goals.
- » Supporting the development of a culture and environment of physical and psychological safety with a balance between productivity and wellbeing.
- » Developing and implementing practices that create connection, collaboration, and work culture that is healthy, inclusive, and embraces diversity.
- » Strategically managing total rewards of workers to attract, retain, and motivate employees.
- » Designing, planning, supporting, and promoting the development of individual and organizational competencies for professional development for all.
- » Identifying and planning human resource needs for the short, medium, and long term.
- » Aligning organizational technology and analytics from a perspective focused on human issues.
- » Designing, guiding, and encouraging innovation processes within the organization and its contextual environment.
- » Developing strategies and implementing processes and projects that enable the organization to express its purpose and achieve its objective.

CPHR CANADA CODE OF ETHICS AND RULES OF PROFESSIONAL CONDUCT

This Code is comprised of overarching duties along with four fundamental duties:

1. Overarching duties;
2. Duties to the public;
3. Duties to the Profession;
4. Duties to Clients and Employers;
5. Duties to individuals

On rare occasions where fundamental duties conflict the duties to the public are paramount.

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OVERARCHING DUTIES

- P101 Speak up on issues and concerns in the workplace
- P102 Establish, maintain, and develop professional relationships
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- P105 Use Competency Framework of human resource management
- P106 Employment and business practices
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- P108 Act impartially

DUTIES TO PUBLIC

- P201 Make efforts to stop illegality
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OVERARCHING DUTIES

Principle P1: Members have overarching duties to the public, profession, clients and employers, and individuals.

- P101** A Member shall speak up about issues and concerns in the workplace.
- P102** A Member shall establish, maintain, and develop professional relationships based on mutual confidence, trust, and respect.
- P103** A Member shall take all reasonable steps to resolve disputes and complaints in a fair, timely, and professional manner.
- P104** A Member shall observe all applicable laws including statutes, regulations, and by-laws, and are not to knowingly contravene the law nor condone or support others that attempt to do so.
- P105** A Member shall perform their duty in a manner consistent with CPHR Canada's Competency Framework of human resources management.
- P106** A Member shall demonstrate reasonable employment and business practices that promote and uphold fairness, equal opportunity, diversity, inclusion, and dignity.
- P107** A Member shall be civil with all persons with whom the Member has dealings in the course of their practice.
- P108** A Member shall act in an impartial and unbiased manner and in good faith towards all parties.

DUTIES TO THE PUBLIC

Principle P2: Members have a duty to carry out their professional responsibilities honorably, competently, and with integrity.

- P201** A Member discovering an illegal act in the performance of their duties shall take whatever appropriate measures they reasonably can to stop or correct the illegal act.
- P202** A Member shall not knowingly retaliate, participate in, or condone any act of retaliation against any individuals properly exercising their right to initiate a complaint, criticism, or grievance.
- P203** A Member shall practice within their scope of competence; bear in mind the limitations of their skills, knowledge, and experience; and seek support or oversight as required.
- P204** A Member shall maintain and enhance their knowledge and skills through continuing professional development and shall comply with continuing professional development requirements of their Association.
- P205** A Member who is convicted of any criminal, provincial, or territorial offence or if they are charged with professional misconduct, incompetence, or incapacity shall promptly inform the Association.
- P206** A Member shall not falsify or cause to be falsified any statement or report and make reasonable efforts to prevent or correct misleading statements or reports.

DUTIES TO THE PROFESSION

Principle P3: Members have a duty to maintain and protect the good reputation of the Profession and to cooperate with the Association.

P301 A Member shall avoid any behavior that is unbecoming a professional and refrain from acts in both their professional and personal lives that bring disrepute to the Profession or jeopardize the confidence and trust in the Profession.

P302 A Member shall understand the Code and other directives or guidance from the Association regarding Member obligations.

P303 A Member shall conduct themselves in compliance with the Code. Acts or omissions that appear to breach the Code – by the Member or another Member – shall be reported to the Association.

P304 A Member shall not direct or encourage any other person to perform human resources management functions for which they are not sufficiently competent to perform without adequate support.

P305 A Member must reply promptly and completely to communication from the Association in which response is required.

P306 A Member shall not publicly criticize other Members in a manner which is unfair, unreasonable, or inaccurate.

P307 A Member shall not obtain admission to membership in an Association by means of misrepresentation and shall notify the Association immediately should they become aware of any Member gaining membership by questionable means.

P308 A Member shall not make public statements which may be interpreted as representative of the Association or its views unless authorized to do so by the Association.

P309 A Member shall identify themselves to their Employer or Client as a Member of the Association and of any qualification granted by the Association such as the CPHR designation.

P310 A Member whose certificate has been cancelled or revoked for any reason shall not hold themselves out to be a designated Member of the Association.

P311 A Member shall cooperate fully with the Association in any investigation or disciplinary processes, including appearing before the Association if requested to do so, and furnishing any documents or records requested by the Association.

P312 A Member shall not interfere with any Association investigation or disciplinary process, nor shall a Member communicate with a person having filed a Complaint against the Member on any matter regarding the Complaint or any matter arising from that Complaint, without prior permission of the Association. A Member shall treat any information about ongoing investigations by the Association as confidential.

P313 A Member shall comply with any sanctions imposed by the Association as a result of a disciplinary process and shall adhere to any undertaking or agreement made in connection with that process.

P314 A Member shall not permit their Business to be used or associated with any pronouncement or act which could be of such a nature as to discredit the Profession.

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P315 A Member shall only use Association information for the purposes for which it was intended.

P316 A Member shall recognize CPHR as a registered trademark of CPHR Canada. Use of such trademark is prohibited unless granted by CPHR Canada.

DUTIES TO CLIENTS AND EMPLOYERS

Principle P4: Members have a duty to act in the best interest of their Clients and/or Employers.

P401 A Member shall act in accordance with the interests of the Employer and/or Client except where professional, ethical, or legal duties require otherwise.

P402 A Member shall not accept or perform work that puts, or has the potential to put, their personal interest or the interest of other Clients in conflict with the interest of their Client or Employer without the informed consent of the affected parties.

P403 A Member shall immediately notify the Clients and/or Employer if a conflict of interest is identified, they are affected by such conflict, and request authorization to proceed or to alternatively be released.

P404 A Member shall not accept any commission, rebate, or other benefit in connection with a matter other than the compensation to which the Member is entitled from their Client or Employer without specific consent.

P405 A Member shall offer well-informed perspectives and recommendations, delivering impartial and independent guidance. This principle extends to the utilization of external sources or technologies in aiding their decision-making, requiring a high level of confidence and expertise in the content or data they employ.

P406 A Member shall maintain complete and appropriate records as might be reasonably expected for the matter for which they are engaged.

P407 A Member shall be clear in communications with Clients and/or Employers, and where appropriate, shall confirm arrangements and understanding in writing.

P408 A Member's marketing and promotion activity must be demonstrably true, accurate, and not misleading.

P409 A Member shall not withdraw from a matter except for good cause or upon giving reasonable notice.

P410 A Member, when acting for a Client who is not their Employer, shall ensure adequate liability insurance is held and maintained.

P411 A Member shall ensure fees charged are fair, reasonable, and fully disclosed.

P412 A Member may charge reasonable interest on an outstanding account of fees, expenses, and disbursements in keeping with a written engagement letter, contract, or other agreement with the Client or upon reasonable notification to the Client.

P413 A Member in attempting to collect accounts owed to them by a Client, shall do so in a civil manner and tone and shall use reasonable means before initiating legal action.

P414 A Member shall, upon request, provide the contact information of their Association and information about how to access this Code.

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P415 A Member shall at the conclusion of any matter, or upon request by their Client and/or Employer, return all Confidential Information to the Client and/or Employer.

P416 A Member shall not remove, cause to be removed, or destroy any information from the premises of the Member's Employer or Client, unless appropriate authorization has been granted or can reasonably

DUTIES TO INDIVIDUALS

Principle P5: Members must act in a manner that advances individuals' dignity and well-being, including showing respect for health and safety, human rights, equity, inclusion, and privacy.

P501 A Member shall ensure that Confidential Information in their possession is reasonably secured and stored and shall comply with all privacy laws applying to the collection, use, and disclosure of Personal Information in the jurisdiction in which they practice.

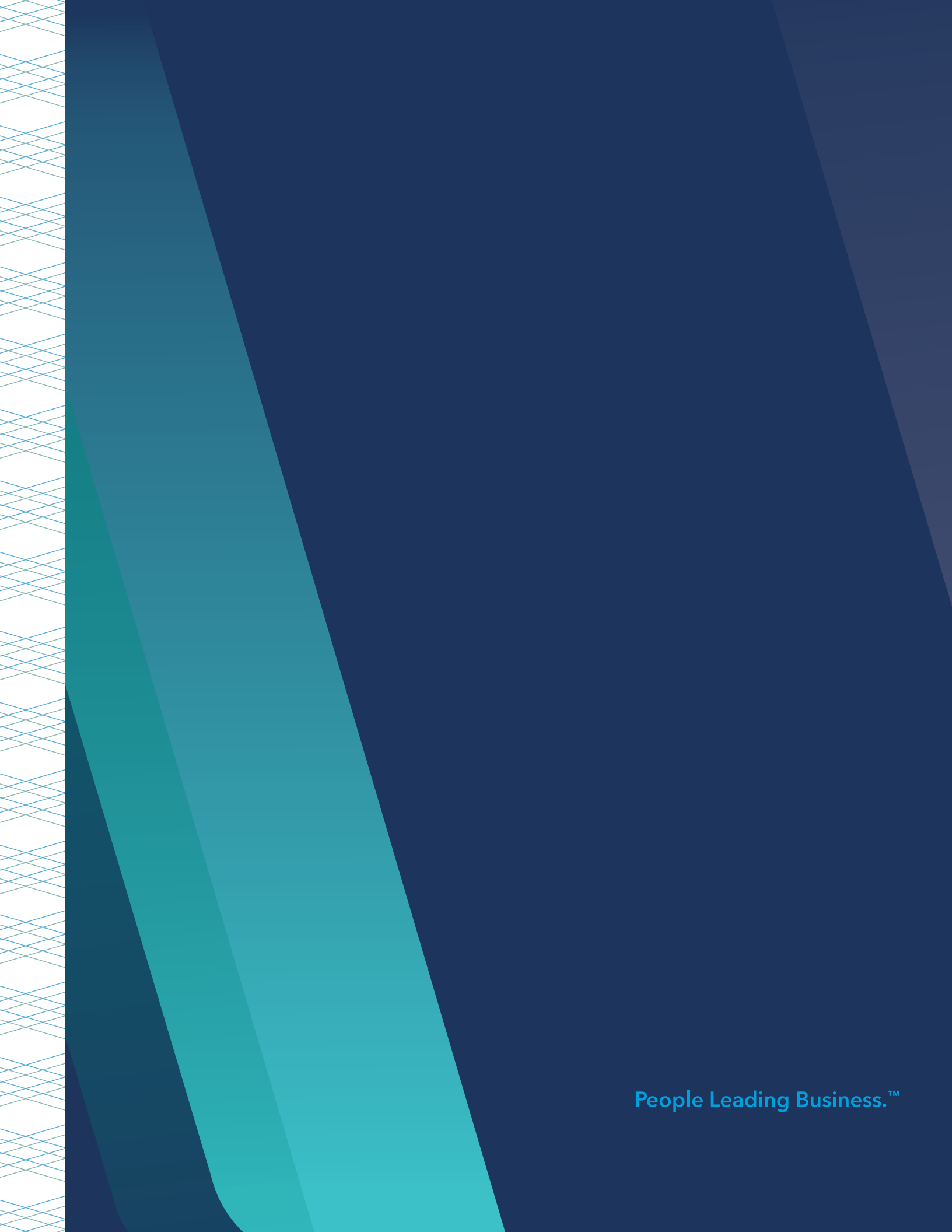
P502 A Member shall safeguard all restricted, confidential, commercially sensitive, and personal data and will not use it for personal advantage or to the undue benefit or detriment of other parties.

P503 A Member shall, where there are grounds to believe that there is an imminent risk of bodily or psychological harm or death, or that a crime is likely to be committed, immediately report it to appropriate authorities, and keep a record of all relevant information in connection with the matter.

P504 A Member, when required by law or by order of a court or tribunal of competent jurisdiction, shall disclose Confidential Information, only to the extent ordered.

P505 A Member shall not engage in or condone, any acts of intimidation, harassment, physical violence, psychological or mental distress, or any acts of discrimination on the grounds prohibited in the human rights legislation in the jurisdiction where the Member is practicing.

P506 A Member, as part of the internal responsibility system, shall ensure the safety and well-being of employees.



People Leading Business.™